

1 PHILLIP A. TALBERT
2 United States Attorney
3 JESSICA A. MASSEY
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099
5

6 Attorneys for Plaintiff
United States of America
7

8 IN THE UNITED STATES DISTRICT COURT
9
EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

CASE NO. 1:22-CR-00309-ADA-DAM

11 Plaintiff,

12 v.

13 LUIS MAURICIO CASTENON,

14 STIPULATION AND PROTECTIVE ORDER

15 Defendant.
16

17 WHEREAS, the discovery in this case involves information, including documentation,
18 photographs, audio recordings, and video recordings, related to a confidential informant whose safety
19 may be compromised if their identity were disclosed (the “Protected Information”); and

20 WHEREAS, the parties desire to have the Protected Information produced to undersigned
21 defense counsel;

22 The parties agree that entry of a stipulated protective order is appropriate.

23 THEREFORE, Luis Mauricio Castenon (“Defendant”), by and through their counsel of record,
24 E. Marshall Hodgkins III (“Defense Counsel”), and the United States of America, by and through
25 Assistant United States Attorney Jessica A. Massey, hereby agree and stipulate as follows:

26 1. This Court may enter a protective order pursuant to Rule 16(d) of the Federal Rules of
27 Criminal Procedure, and its general supervisory authority.

28 2. This Order pertains to the Protected Information, the Bates numbers pertaining to which

1 will be specified when produced to Defense Counsel (“the discovery”). This Order also relates to any
2 verbal communications between the government and Defense Counsel about the confidential informant.

3 3. By signing this Stipulation and Protective Order, Defense Counsel agrees not to share any
4 documents, recordings, or other information, verbal or written, that contain Protected Information with
5 anyone other than defense investigators and support staff. Defense Counsel may permit Defendant to
6 review un-redacted documents in the presence of their attorney, defense investigators, and support staff.
7 The parties agree that Defense Counsel, defense investigators, and support staff (the “defense team”)
8 shall not allow Defendant or anyone else outside of the defense team to copy or retain Protected
9 Information contained in the discovery.

10 4. The discovery and information therein may be used only in connection with the litigation
11 of this case and for no other purpose. The discovery is now and will forever remain the property of the
12 government. Defense Counsel will return the discovery to the government or certify that it has been
13 destroyed at the conclusion of the case.

14 5. Defense Counsel will store the discovery in a secure place and will use reasonable care to
15 ensure that it is not disclosed to third persons in violation of this agreement.

16 6. Defense Counsel shall be responsible for advising Defendant, employees, other members
17 of the defense team, and defense witnesses of the contents of this Stipulation and Order.

18 7. In the event that Defendant substitutes counsel, undersigned Defense Counsel agrees to
19 withhold discovery from new counsel *unless and until* substituted counsel agrees also to be bound by
20 this Order.

21 8. Defense Counsel reserves the right to later seek to have the terms of this Order modified or
22 revoked. Defense Counsel agrees to return the discovery to the Government in its complete form if the
23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 terms of this Order are modified or revoked if so requested by the United States.

2 IT IS SO STIPULATED.

3
4 DATED: November 18, 2022

PHILLIP A. TALBERT
United States Attorney

5 By: /s/ Jessica A. Massey
6 JESSICA A. MASSEY
7 Assistant U.S. Attorney

8 DATED: November 18, 2022

9 By: /s/ E. Marshall Hodgkins III
10 E. MARSHALL HODGKINS III
11 Attorney for Defendant
12 LUIS MAURICIO CASTENON

13 IT IS SO ORDERED.

14 Dated: November 23, 2022



15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES MAGISTRATE JUDGE